

REMARKS

Favorable reconsideration of this application is requested in view of the following remarks.

Claims 1, 20 and 24 have been amended editorially.

The abstract has been objected to due to informalities. As discussed below, claim 1, which includes formula (I), encompasses the elected species. Accordingly, the formula in the abstract is proper, and this objection should be withdrawn.

Claims 1, 5, 6, 9-11, 13, 15-18, and 21-25 have been withdrawn from further consideration under 37 C.F.R. 1.142(b) as being drawn to a nonelected invention. Applicants respectfully contend that independent claim 1 reads on the elected species, as shown in the discussion below. Claims 5, 6, 9-11, 13, 15-18, and 21-25 are drawn to the elected group I and read on the elected species or are properly dependent from claim 1.

The elected species (example 68 of the specification) correspond to the generic formula in claim 1 as follows. Z^1 and Z^3 independently represent a bond; and Z^2 is $-N(R^1)-$, wherein R^1 is $-CO-$ (i.e., a methylene group substituted with an oxo group). The ring B is an imidazole group substituted with a methylene group at position 2 and a methyl group at position 5. The bond Z^3 connects the nitrogen atom in Z^2 and the substituent methylene group on the ring B, and finally R^1 is attached to a nitrogen atom at position 1 of the ring B so that the substituent methylene group of the ring B is taken together with R^1 ($-CO-$) to form a ring. For the Examiner's convenience, two sheets are attached hereto that illustrate the correspondence discussed above. Therefore, claim 1 reads on the elected species and the objection should be withdrawn.

Accordingly, the Ex parte Quayle Office Action should be withdrawn, and claims 1, 5, 6, 9-11, 13, 15-18, and 20-25 should be considered.

Application No. 10/535268
Responsive to the office action dated April 1, 2009

In view of the above, Applicants request reconsideration of the application in the form of a Notice of Allowance.



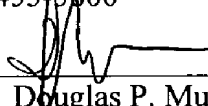
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DPM/my/hjm/jls

Respectfully submitted,

HAMRE, SCHUMANN, MUELLER &
LARSON, P.C.
P.O. Box 2902
Minneapolis, MN 55402-0902
(612) 455-3800

By: _____


Douglas P. Mueller
Reg. No. 30,300

A Chemical structure of the compound in Example 68

